

# JONATHAN A. STEIN, P.C.

ATTORNEY AND COUNSELOR AT LAW  
132 SPRUCE STREET  
CEDARHURST, NEW YORK 11516-1915

MEMBER OF NY AND NJ BARS

TELEPHONE  
(516) 295-0956

TELECOPIER  
(516) 295-0957

e-mail: jonsteinlaw@gmail.com

December 7, 2009

## VIA ECF

Honorable Brian M. Cogan, U.S.D.J.  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

RE: *Robert P. Gittler, Sr. v. Felix Gelman*  
09-cv-04568 (BMC)  
Current Conference Date: December 9, 2009

Honorable Sir:

The Court has scheduled the referenced matter for an initial status conference on December 9, 2009 at 9:30 a.m.

We are requesting that the conference be adjourned, *sine die*, as Plaintiff will be submitting a request for a default judgment within the next few days.

In accordance with Rule I(E) of the Court's Individual Practice Rules, we submit the following:

1. The original date for the conference is December 9, 2009 at 9:30 a.m.
2. There has been no previous request for an adjournment or extension.
3. Inasmuch as there have been no previous requests for adjournments or extensions, no request was either granted or denied.
4. We are unable to obtain permission from Defendant to consent or object to this request as Defendant is currently in default, having been personally served with the summons and complaint on October 27, 2009. The affidavit of service with the Executed Summons was filed on October 28, 2009.
5. This is the first date of any kind scheduled by the Court for a conference.

Honorable Brian M. Cogan, U.S.D.J.  
RE: *Gittler v. Gelman* 09-cv-04568 (BMC)  
December 7, 2009

Page 2

It had been my intention to request this adjournment for the above-stated reasons earlier, but was preoccupied due to the hospitalization of an immediate family member.

We thank the Court in advance for its consideration of this request.

Most Respectfully Yours,

A handwritten signature in black ink, appearing to be 'JA Stein', with a long horizontal flourish extending to the right.

JONATHAN A. STEIN (JS-4597)

JAS:rf